

IN THE SENATE OF THE UNITED STATES.

JANUARY 19, 1865.

Read twice and referred to the Committee on the Judiciary.

## **AN ACT**

Providing for a district and a circuit court of the United States for the district of Nevada, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the State of Nevada shall hereafter constitute one  
4       judicial district, and be called the district of Nevada. And  
5       for said district a district judge, a marshal, and a district  
6       attorney of the United States shall be appointed.

1       SEC. 2. *And be it further enacted,* That the said district  
2       of Nevada shall be attached to and constitute a part of the  
3       tenth circuit. And a term of the circuit court of the United  
4       States for the said district shall be held in the city of Carson,  
5       in the State of Nevada, on the first Monday of March, and  
6       on the first Monday of August, and on the first Monday of  
7       December of each year. And a term of the district court  
8       of the United States for the said district shall be held at the  
9       said city of Carson on the first Monday of February, and on

10 the first Monday of May, and on the first Monday of October  
11 of each year.

1       SEC. 3. *And be it further enacted*, That the district  
2 court of the United States for the district of Nevada, and the  
3 judge thereof, shall possess the same powers and jurisdiction  
4 possessed by the other district courts and district judges of  
5 the United States, and shall be governed by the same laws  
6 and regulations.

1       SEC. 4. *And be it further enacted*, That the circuit  
2 court of the United States for the said district of Nevada,  
3 and the judge thereof, shall possess the same powers and  
4 jurisdiction in said district which are possessed by them in  
5 the other districts of the tenth circuit.

1       SEC. 5. *And be it further enacted*, That whenever the  
2 circuit judge of the tenth circuit is absent or from any cause  
3 is unable to hold in any district of his circuit a term of the  
4 circuit court appointed by law, it shall be the duty of the  
5 district judge of the district to hold such term; and the  
6 circuit courts held by the district judges shall possess the  
7 same jurisdiction and powers in all respects as when held by  
8 the circuit judge: *Provided*, That they shall not possess any  
9 jurisdiction to hear and determine any case or matter on  
10 appeal or writ of error, or transferred from the district court  
11 or any proceedings therein.

1       SEC. 6. *And be it further enacted*, That the district

2 judge appointed for the district of Nevada, shall receive  
3 as his compensation the sum of thirty-five hundred dollars  
4 a year, payable in four equal instalments, on the first days of  
5 January, April, July, and October, of each year.

1       SEC. 7. *And be it further enacted*, That the marshal  
2 and district attorney of the United States for said district of  
3 Nevada, and also for the district of Oregon, shall severally  
4 be entitled to charge and receive for the services they may  
5 perform double the fees and compensation allowed by the  
6 act entitled "An act to regulate the fees and costs to be  
7 allowed clerks, marshals, and attorneys of the circuit and  
8 district courts of the United States, and for other purposes,"  
9 approved February twenty-six, eighteen hundred and fifty-  
10 three: *Provided*, That the aggregate compensation allowed  
11 said officers shall not exceed the amount provided for such  
12 officers by said act.

1       SEC. 8. *And be it further enacted*, That the third, fourth,  
2 and fifth sections of the act of February nineteenth, eighteen  
3 hundred and sixty-four, entitled "An act amendatory of and  
4 supplementary to an act to provide circuit courts for the dis-  
5 tricts of California and Oregon, and for other purposes,"  
6 approved March third, eighteen hundred and sixty-three,  
7 shall be applicable to the appointment of special sessions of  
8 the circuit courts in the districts of Nevada, and to the apoint-  
9 ment of clerks and deputy clerks of the circuit courts of the

10 districts of Nevada and Oregon. And that the clerk of the  
11 circuit court in the districts of Nevada, Oregon, and Califor-  
12 nia shall be also clerk of the district court in said districts.  
13 And shall receive for like services the same fees and compen-  
14 sation which are allowed by law to the clerks of the circuit and  
15 district courts of the United States for California: *Provided,*  
16 That the clerk in each of said districts shall be allowed by  
17 the Secretary of the Interior to retain of the fees and emolu-  
18 ments received by him as clerk of both courts, over and  
19 above the necessary expenses of his offices and necessary  
20 clerk hire included, to be audited and allowed by the proper  
21 accounting officers of the treasury, only such sum per annum  
22 as is now allowed by law to the clerk of one of said courts,  
23 and shall pay the remainder into the public treasury, under  
24 oath, in the manner and under the regulations now prescribed  
25 by law.

1       SEC. 9. *And be it further enacted,* That this act shall  
2 take effect on the first day of April next.

Passed the House of Representatives January, 1865.

Attest:

EDWARD McPHERSON, *Clerk.*